

### **Remarks**

Applicant respectfully requests reconsideration of the above-identified application in view of the present amendment and the following remarks.

Claims 1-35 were pending. By this paper, Applicant has amended claims 1, 5, 19, 21, 22 and 28 and added new claims 36, 37 and 38. Furthermore, Applicant has amended the Specification to address an obvious typographical error. No new matter has been introduced by virtue of the present amendment. After entry of the amendment, claims 1-38 will be pending.

Applicant acknowledges the indication of allowability of claims 11-16, 18 and 30-35. Applicant has rewritten claims 11 and 30 as new claims 37 and 38, respectively. Accordingly, these claims are allowable.

Claims 1-10, 17 and 19-29 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,679,052 to Nakatani et al., hereinafter "*Nakatani*." Applicant respectfully traverses this rejection.

Claim 1 recites a system for treating exhaust gases from an internal combustion engine. The system comprises a housing having a first flow path and a second flow path for transporting the exhaust gases from the engine. The housing contains a chamber downstream of the first and second flow paths. The flow paths have coaxially arranged portions. The first and second flow paths flow into the chamber. The system further includes a gas directing device for selectively directing the exhaust gases between the first flow path and the second flow path, a first NO<sub>x</sub> adsorbing catalyst contained in the first flow path, the first NO<sub>x</sub> adsorbing catalyst requiring periodic regeneration to purge accumulated NO<sub>x</sub>, and a first reductant supply source capable of selectively directing a gas containing a reducing agent to flow into the first NO<sub>x</sub> adsorbing catalyst.

*Nakatani* does not disclose, teach or suggest the present invention. In *Nakatani*, the exhaust gas, after flowing into the emissions control unit 200, always flows through the trunk passage 30a and then selectively through the loop passage 30b. (Col. 8, ll. 60-62.) After the exhaust gas in *Nakatani* flows through the first partial loop passage 30b1 and the second partial loop passage 30b2 in that order, the exhaust gas then returns to the path change portion 250. (Col. 8, l. 63 - col. 9, l. 3.) As such, *Nakatani* does not disclose, teach or suggest a housing having a chamber downstream of the first and second flow paths wherein the flow paths have coaxially arranged portions and wherein the first and second flow paths flow into the chamber.

Accordingly, Applicant respectfully submits that claim 1 is patentable.

Claims 2-18 and 36 all depend either directly or indirectly from claim 1 and are therefore patentable for at least the same reasons as claim 1. Moreover, these claims add further limitations which further define the invention and render them separately allowable.

For instance, claim 5 recites that the chamber is upstream of a diesel oxidation catalyst and downstream of the first NOx adsorbing catalyst wherein the first and second flow paths are capable of flowing directly into the chamber. Such limitations are not disclosed, taught, or suggested in the prior art.

Claim 10 recites that the system further comprises a second NOx adsorbing catalyst contained in the second flow path. Applicant respectfully submits that *Nakatani* does not disclose a second NOx adsorbing catalyst in the second flow path. The NOx adsorbing catalyst 220 in *Nakatani* is in the first flow path, not the second flow path.

Claim 36 recites that the interchange portion is downstream of the gas directing device. This limitation is not disclosed, taught, or suggested in *Nakatani*.

Claim 19 was rejected under 35 U.S.C. § 102 as being unpatentable over *Nakatani*. Applicant traverses this rejection. Claim 19 recites similar limitations as claim 1. Accordingly, claim 19 is patentable for at least the same reasons as claim 1.

Claim 20 depends from claim 19 and is patentable for at least the same reasons as claim 19.

Claims 21 and 22 were rejected under 35 U.S.C. § 102 as being unpatentable over *Nakatani*.

Claims 21 and 22 contain similar limitations as claim 1 and are therefore patentable for at least the same reasons as claim 1.

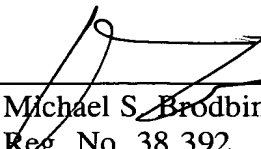
Claims 23-35 all depend either directly or indirectly from claim 22 and are therefore patentable for at least the same reasons as claim 22. Moreover, these claims add further limitations which further define the invention and render them separately allowable.

Applicant submits that the claims are in a condition for allowance and respectfully requests a notice to that effect. If the Examiner believes that a telephone conference will advance the prosecution of this application, such conference is invited at the convenience of the Examiner.

A check in the amount of \$312.00 is enclosed to cover the additional claims filing fee. Please charge any additional fees or credit any overpayments as a result of the filing of this paper to our Deposit Account No. 02-3978 -- a duplicate of the Amendment Transmittal is enclosed for that purpose.

Respectfully submitted,

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